

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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DIANNE BAKER-PACIUS and CHRISTOPHER J.  
GARRY,

Plaintiffs,

v.

THE DEPARTMENT OF EDUCATION OF THE CITY  
OF NEW YORK.

Defendant.  
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**ORDER REGARDING  
FED. R. CIV. P. 4(M)**

25-CV-743  
(Donnelly, J.)  
(Marutollo, M.J.)

**JOSEPH A. MARUTOLLO, United States Magistrate Judge:**

The Court's records reflect that the Complaint in this action was filed on February 10, 2025. Dkt. No. 1. Federal Rule of Civil Procedure 4(m) provides:

If a defendant is not served within 90 days after the complaint is filed, the court – on motion or on its own after notice to the plaintiff – must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

Accordingly, if service is not made upon Defendant by **May 12, 2025**, or if Plaintiffs fail to show good cause why such service has not been effected by that date, the undersigned will recommend to the Honorable Ann M. Donnelly, United States District Judge, that the Court dismiss this action without prejudice. Plaintiffs shall promptly advise the Court once Defendant has been served.

Plaintiffs are required to advise the Clerk of Court of any change of address. Failure to keep the Court informed of Plaintiffs' current addresses means the Court will not know where to contact Plaintiffs and may result in dismissal of the case.

The Court also reminds Plaintiffs that the Court has scheduled a telephonic initial conference for April 18, 2025 at 2:30 p.m., as more fully set forth at Docket Entry No. 5 in this case.

For information regarding court procedures, Plaintiffs may contact the *Pro Se* Office at the United States Courthouse by calling (718) 613-2665.

Dated: Brooklyn, New York  
February 13, 2025

**SO ORDERED.**

/s/ Joseph A. Marutollo  
JOSEPH A. MARUTOLLO  
United States Magistrate Judge